IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 13TH JULY 2007 / 22ND ASHADHA 1929

WP(C).No. 9925 of 2006(F)

OA.129/2000 of DEBT RECOVERY TRIBUNAL, ERNAKULAM

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PETITIONER:

A. ABDUL RASHEED, PRESIDENT,
M/S. BDHIRIYA DEVELOPMENT SOCIETY
NO.291/94, REGD.OFFICE AT NEDUMPANA P.O.,
KOLLAM.

BY ADV. SRI.R.KRISHNA RAJ
SRI.A.SHANAVAS KHAN
SRI.P.R.HARIKUMAR

RESPONDENTS:

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1. CANARA BANK, ADICHANALLOOR BRANCH,
KOLLAM.

2. DHADI & VILLAGE INDUSTRIES BOARD,
THIRUVNANTHAPURAM.

3. NABARD, THIRUVANANTHAPURAM.

R1 BY ADV. SRI.R.S. KALKURA
R2 BY ADV. SRI.K.P.HARISH,SC,KERALA KHADI BOARD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE LETTER OF THE FIRST RESPONDENT DATED NIL

EXT.P2 TRUE COPY OF THE RECEIPT DATED 4.10.1995 ISSUED BY THE FIRST RESPONDENT.

RESPONDENTS' EXHIBITS: NIL

TRUE COPY

P.S. TO JUDGE.

C.N.RAMACHANDRAN NAIR,J.

W.P.C. NO. 9925 OF 2006

Dated this the 13th day of July, 2007

JUDGMENT

The contentions raised in this Writ Petition are repetition of contentions raised before the DRT in the O.A. If the petitioner had any grievance against DRT's order, petitioner should have filed appeal before the Appellate Tribunal. Moreover, Writ Petition is pending for over a year and there was no interim orders. In other words, respondents were free to proceed with recovery pursuant to recovery certificate issued by the DRT. W.P. is therefore devoid of any merit and is dismissed.

(C.N.RAMACHANDRAN NAIR)
Judge